

## **DETAILED ACTION**

### ***Allowable Subject Matter***

1. The following is an examiner's statement of reasons for allowance:

The prior art of record fails to anticipate or make obvious the method and structure of claims 2-11, 14, and 16-25, including, *inter-alia*, using chest displacement signals to correct an integration offset of a lung volume signal to produce a corrected respiration signal based on a chest displacement signal.

Hoffman (US Patent Application Publication 2002/0120207) discloses a monitor comprising a spirometer that measures a patient's breathing to provide an air flow signal (paragraphs [0068], [0074], [0077]); a sensor measuring chest displacement caused by breathing to provide a chest displacement signal (paragraphs [0070]-[0071], [0078]); and a calibration circuit that receives and combines both signals to generate a corrected respiration signal (paragraphs [0066], [0069], [0080]). Hoffman does not disclose using the signals to correct an integration offset while generating the corrected respiration signal.

Sackner teaches a system for monitoring respiration comprising a spirometer for measuring air flow (element 22; column 4 line 66 to column 5 line 1); a sensor for monitoring chest displacement (elements 12, 14); and a calibration circuit that combines the air flow and chest displacement signals to obtain a corrected respiration signal (column 3, lines 38-48). Sackner does not teach correction of an integration offset.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to KAREN E. TOTH whose telephone number is (571)272-6824. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Marmor, II can be reached on 571-272-4730. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

//Robert L. Nasser Jr//  
Primary Examiner, Art Unit 3735

/K. E. T./

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Examiner, Art Unit 3735